

CITY OF ANGELS
CITY COUNCIL
MINUTES

Tuesday, July 6, 2010

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris, Craig Turco and Rick Downey

Staff Present: David Richards, Richard Matranga, Gary Ghio, Todd Fordahl, David Hanham, Melisa Ralston and Mary Kelly

4:30 p.m. CALL TO ORDER

ADJOURN TO CLOSED SESSIONS:

CLOSED SESSION:

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO California Government Code Section 54957.6: Fire MOU, Non-Exempt MOU and Exempt MOU – City Labor Negotiators – Council Members Downey and Turco

CLOSED SESSION:

CONFERENCE WITH LEGAL COUNSEL PURSUANT TO California Government Code Section 54957.6: Status of City Administrator's Contract

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION
Exposure to litigation pursuant to subdivision (b) of Government Code Section 54959.9 (Two cases)

6:00 p.m. REGULAR MEETING

PRESENTATION TO EAGLE SCOUTS:

Vice Mayor Boeding presented Travis Airola with a plaque acknowledging his achievement in receiving the Eagle Scout award.

Mayor Lynch presented Matthew Prier with a plaque acknowledging his achievement in receiving the Eagle Scout award.

ACTION TAKEN IN CLOSED SESSIONS

CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO California Government Code Section 54957.6: Fire MOU, Non-Exempt MOU and Exempt MOU – City Labor Negotiators – Council Members Downey and Turco

Council Action: Direction given to negotiators

CONFERENCE WITH LEGAL COUNSEL PURSUANT TO California Government Code Section 54957.6: Status of City Administrator's Contract

Council Action: Moved for discussion following regular agenda items.

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Exposure to litigation pursuant to subdivision (b) of Government Code Section 54959.9 (Two cases)

Council Action: Moved for discussion following regular agenda items.

APPROVAL OF AGENDA

Agenda was approved by consensus

STAFF UPDATES

Gary Ghio – City engineer

- Provided an update of the Stockton Road closure.
- SR49 TE Environmental document is completed.
- SR2S application completed and sent to Caltrans.

Dave Richards – City Administrator

- Summarized his staff report included in packet.
- Water/wastewater Draft audit will be presented at Infrastructure/Facilities.

Dave Hanham – Planning Director

- Reviewed staff report included in packet.

COUNCIL UPDATES

Council Member Downey

- Met with City employee MOU negotiators, providing response to their MOU requests.

Council Member Turco

- Attended Safety Services with discussion regarding P.D. contract with County.
- Attended Personnel/Finance and reviewed lower dental benefit costs for employees.
- Will continue to meet with employees regarding MOU requests.

Mayor Lynch

- Attended UPA.

Council Member Morris

- Attended SR49 Transportation Concept meeting to discuss long range planning. Caltrans is soliciting comments on this report.

PUBLIC COMMENT

Bill Sost – 320 Mill Road

There will be a workshop on July 7th regarding Title 24 Building permit enforcement.

John Broeder – 1860 Finnegan Lane

Voiced concerns of fireworks being permitted within the City. Asked the Council to look at a ban on fireworks within the City limits.

CONSENT AGENDA

- a. Minutes of Regular meeting – June 1, 2010
MOTION by Council Member Turco, seconded by Council Member Downey and carried 5-0
APPROVING THE MINUTES OF REGULAR MEETING – June 22, 2010
- b. Minutes of special meeting – June 30, 2010
MOTION by Council Member Turco, seconded by Council Member Boeding and carried 4-1 with Council Member Downey abstaining
APPROVING THE MINUTES OF SPECIAL MEETING – June 30, 2010
- c. Cash Disbursements
MOTION by Council Member Turco, seconded by Council Member Morris and carried 5-0
DIRECTING STAFF TO REMOVE CASH DISBURSEMENTS ITEM FROM FUTURE CONSENT AGENDAS.

REGULAR AGENDA

1. **GRADING PLAN REVIEW FOR WETLANDS ADJACENT TO CLASSICS ON THE RIDGE**
(continued from 6/22/10 Council meeting) – Gary Ghio, City Engineer

Gary reviewed the documentation he provided in the packet. He noted that the wetlands map referred to was never recorded with the County. It was suggested the LLD discuss what action should be recommended that might settle the wetlands issue.

Direction: Item to be agendized for August LLD meeting.

Direction: After review by LLD committee, item to be continued to future Council meeting.

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2. **ABANDONMENT OF BENNETT STREET** – Dave Hanham, Planning Director
MOTION by Council Member Boeding, seconded by Council Member Turco and approved 4-1 with Mayor Lynch voting ‘NO’ ADOPTING RESOLUTION NO. 10-22. A RESOLUTION APPROVING THE ABANDONMENT OF BENNETT STREET SOUTH OF WILSON STREET – APN’S 058-013-09 & 10, 058-012-017 (Lots 29, 30, 31)
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3. **GROUNDWATER MONITORING WELL INSTALLATION OVERSIGHT (recommendation from Infrastructure/Facilities Committee)** – Garrett Walker, Water/Wastewater
MOTION by Council Member Turco, seconded by Council Member Downey and carried 5-0 APPROVING THE SELECTION OF CONDOR EARTH TECHNOLOGIES TO PROVIDE OVERSIGHT OF THE GROUNDWATER MONITORING WELL INSTALLATION PROJECT AND AUTHORIZE CITY ADMINISTRATOR TO EXECUTE CONTRACT DOCUMENTS.
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4. **REPAYMENT REQUEST TO UTICA POWER AUTHORITY FOR DARBY FIRE EXPENSES (referred by UPA board meeting of June 23, 2010)** – Council Member Turco
MOTION by Council Member Turco, seconded by Council Member Morris and carried 3-2 with Council Members Lynch and Downey voting ‘NO’ APPROVING A LETTER TO BE SENT TO UPA STATING THAT THE CITY OF ANGELS WILL NOT BE SEEKING REPAYMENT NOW, OR IN THE FUTURE, OF THE \$55,000 ASSESSMENT FOR EXPENSES RELATED TO THE DARBY FIRE OF SEPTEMBER 5, 2001.
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5. **RESOLUTION ESTABLISHING WEED ABATEMENT ADMINISTRATIVE FEE** – Nathan Pry
Fire Marshal
Steve Difu – 576 Sasa
Questioned the process for developing the administrative fees.
- John Broeder** – 1860 Finnegan Lane
Spoke in favor of weed abatement to eliminate fire hazards.
- Richard Wilmshurst** – 1115 So. Main
Said that an Administrative fee was unfair and stupid.
- MOTION by Council Member Turco, seconded by Council Member Morris and carried 3-2 with Council Members Boeding and Downey voting ‘NO’ ADOPTING RESOLUTION NO. 10-23. A RESOLUTION ESTABLISHING ADMINISTRATIVE FEES FOR WEED ABATEMENT.
- Roll Call: Lynch {YES}, MORRIS {YES}, TURCO {YES}, DOWNEY {NO}, BOEDING {NO}
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6. **GIS CONSULTANT CONTRACT AWARD** – Dave Hanham, Planning Director
MOTION by Council Member Morris, seconded by Council Member Turco and carried 5-0 APPROVING THE SELECTION OF SOLSTICE GEOSPATIAL SOLUTIONS TO PROVIDE GIS SERVICES FOR THE CITY AND AUTHORIZE THE CITY ADMINISTRATOR TO EXECUTE CONTRACT DOCUMENTS **CONTINGENT UPON LINE ITEM APPROVAL IN 2010-2011 BUDGET**
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7. **PUBLIC HEARING: VESTING TENTATIVE PARCEL MAP - HEINTZ** – Dave Hanham
Planning Director
The Planning Director reviewed the background of this item.

Richard James, project surveyor said he would answer any questions the Council had.

Peggy Fortuin - Angels Camp resident

Asked for clarification on several of the conditions of approval. She was satisfied with the answers received.

Laren Ramorini – Angels Camp resident

Stated he was not in favor of the project.

8:15 Public Hearing Closed

MOTION by Council Member Boeding, seconded by Council Member Turco and carried 5-0
ADOPTING RESOLUTION NO. 10-20. A RESOLUTION APPROVING THE VESTING
TENTATIVE PARCEL MAP FOR JERRY HEINTZ FOR THE CREATION OF 3 PARCELS AND A
REMAINDER WITH OPTION 'A' AND A NOTICE OF DETERMINATION (APN 062-014-046)

Roll Call: Lynch {YES}, MORRIS {YES}, TURCO {YES}, DOWNEY {YES}, BOEDING {YES}

**8. LANDSCAPE & LIGHTING DISTRICT PRELIMINARY APPROVAL OF THE ENGINEERS
REPORT FOR FY 2010-2011** – Richard Matranga, City Attorney

MOTION by Council Member Boeding, seconded by Council Member Turco and carried 5-0
ADOPTING RESOLUTION NO. 10-16. A RESOLUTION OF PRELIMINARY APPROVAL OF THE
ENGINEER'S REPORT FOR THE CITY OF ANGELS LANDSCAPING & LIGHTING DISTRICT
NO. 1 FOR FISCAL YEAR 2010-2011

**9. LANDSCAPING & LIGHTING DISTRICT INTENTION TO ORDER THE LEVY AND
COLLECTION OF ASSESSMENTS** – Richard Matranga, City Attorney

MOTION by Council Member Downey, seconded by Council Member Boeding and carried 5-0
ADOPTING RESOLUTION NO. 10-17. A RESOLUTION OF INTENTION TO ORDER THE LEVY
AND COLLECTION OF ASSESSMENTS FOR THE CITY OF ANGELS LANDSCAPING AND
LIGHTING DISTRICT FOR FISCAL YEAR 2010-2011

MEETING ADJOURNED AT 8:25 P.M.

ATTEST:

Jack Lynch
Mayor

Mary Kelly
City Clerk